

PATENT APPLICATIONIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Ch/1
XPP
10/28/02

Applicant(s): Bendele et al.

Serial No.: 09/907,263

Group Art Unit No.: 1646

Filed: July 17, 2001

Examiner: L. Spector

For: COMBINATION THERAPY USING A TNF BINDING
PROTEIN FOR TREATING TNF-MEDIATED
DISEASES

Docket No.: A-430F

AMENDMENT UNDER 37 CFR 1.121Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated August 27, 2002, Paper No. 8, please amend this application as follows:

In the Claims

Please cancel claims 42-71 inclusive.

Remarks

Claim status. Claims 1 and 27 to 41 are now in the case. Claims 42-71 are canceled as non-elected claims under a restriction requirement and the Applicants reserve the right to file divisional application(s) thereon.

Election under restriction requirement. The Office Action identified two groups from which restriction was required. Group I included Claims 1 and 27-41; group II, claims 42-71. The Applicants hereby elect group I identified in the Office Action, Claims 1 and 27-41.

The Office Action further required the Applicants to elect species within each of the terms TNF binding protein, anti-inflammatory drug, and inflammatory disease. The Applicants elect sTNF-RII as the TNF binding

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

September 10, 2002

Date

Christie A. Mutter

RESTRICTION ELECTION FACSIMILE TRANSMISSION

DATE: September 10, 2002

FROM/ATTORNEY: Timothy J. Gau

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GROUP 1600

TO EXAMINER: Lorraine Spector

ART UNIT: 1616

SERIAL NUMBER: 09/907,263

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